

REMARKS**Specification**

The Office has suggested that Applicants clarify in the specification what constitutes a computer-readable medium, at page 2 of the Final Office Action. Applicants have amended paragraph 0020 of the specification in response to the suggestion in the Final Office Action.

Claim Objections

The Office has objected to the claim language of claim 23, at page 3 of the Final Office Action. Applicants have amended claim 23 to correct typographical errors. Consequently, Applicants respectfully request withdrawal of the objection.

35 U.S.C. §112 Rejections

The Office has rejected claims 1-22 and 38-40, at pages 3-4 of the Final Office Action, under 35 U.S.C. §112, 1st paragraph. Applicants have canceled claims 5, 7, 14, and 39 without prejudice or disclaimer. Applicants traverse the remaining rejections.

Applicants submit that "initiating presentation of a Graphical User Interface (GUI) element in response to initiation of a collaborative call," as recited in claim 1, is supported in the specification. For instance, in FIG. 1, at block 14 a portion of a collaborative call may be launched. At block 24, a host may be presented with an administrative GUI. At block 32, a caller may be presented with a participant GUI. *See* Specification, FIG. 1, and paragraphs 009, 0012, 0013. Thus, a GUI element is initiated at blocks 24 and 32 in response to initiation of a collaborative call at block 14. Therefore, each element of claim 1 is supported by the specification. Claims 2-4, 6, 8-13, and 15-22 depend from claim 1. Accordingly, the 35 U.S.C. §112, 1st paragraph rejection of claims 1-4, 6, 18-13, and 15-22 should be withdrawn. In similar fashion, Applicants submit that "presenting a graphical user interface (GUI) element in response to initiation of a collaborative call," as recited in claim 38, is supported by the specification. Claim 40 depends from claim 38. Accordingly, the 35 U.S.C. §112, 1st paragraph rejection of claims 38 and 40 should be withdrawn.

The Office has rejected claims 38-40, at page 4 of the Final Office Action, under 35 U.S.C. §112, 2nd paragraph. Applicants have canceled claim 39 without prejudice or disclaimer. Applicants have amended claim 38. Claim 40 depends from claim 38, and amending claim 38 renders the rejection of claim 40 moot. Therefore, Applicants respectfully request that the 35 U.S.C. §112, 2nd paragraph rejections of claims 38 and 40 be withdrawn.

Claims 23-24 and 26 are Allowable

Applicants traverse the rejection of claims 23-24 and 26, at pages 5-6 of the Final Office Action, under 35 U.S.C. §102(b), as anticipated by U.S. Patent No. 6,154,465 ("Pickett"). Pickett does not disclose or suggest computer-readable data executable by the processor to initiate presentation of a participant GUI having an appearance different than a host GUI, as recited in claim 23. In contrast to claim 23, Pickett discloses an office attendant type program that may transfer received calls to other extensions because, e.g., a called party is on the phone. See Pickett, col. 18, lines 22-27. Pickett further discloses that the office attendant type program may cause one or more windows to appear on the computers of particular persons in the office, such as a person to whom a call is being directed. See Pickett, col. 18, lines 38-41. Pickett does not disclose a participant GUI having an appearance different than a host GUI. Therefore, Pickett does not disclose each and every element of claim 23. Hence, claim 23 is allowable. Claims 24 and 26 depend from claim 23, and are therefore allowable, at least by virtue of their dependence from claim 23.

Claims 1-3, 6-9, 12-13, 15, and 20 are allowable

The Office has rejected claims 1-3, 5-9, 12-15, and 20, at pages 7-12 of the Final Office Action, under 35 U.S.C. §103(a), as unpatentable over Pickett. Applicants have canceled claims 5 and 14 without prejudice or disclaimer. Applicants traverse the remaining rejections.

The Final Office Action admits that Pickett does not disclose initiating presentation of a graphical user interface (GUI) in response to initiation of a collaborative call, as recited in claim 1. See Final Office Action, pp. 8, 23. The Final Office Action states that it is obvious to initiate displaying a GUI element in response to initiating a collaborative call. See Final Office Action, page 8. Applicants traverse this assertion. In contrast to claim 1, Pickett discloses that a

conference icon may be utilized to initiate a conference call. See Pickett, col. 22, lines 28-30. The MPEP states “[t]he examiner must provide specific factual findings predicated on sound technical and scientific reasoning to support his or her conclusion of common knowledge.” See MPEP 2144.03B. “If the examiner is relying on personal knowledge to support the finding of what is known in the art, the examiner must provide an affidavit or declaration setting forth specific factual statements and explanation to support the finding.” See MPEP 2144.03 C. Applicants submit that the statement of obviousness presented in the Final Office Action does not include any factual evidence in support of the statement. Applicants request that substantive evidence be presented to support the obviousness statement. Hence, claim 1 is allowable over Pickett. Claims 2-3, 6-9, 12-13, 15, and 20 depend from claim 1, and are therefore allowable, at least by virtue of their dependence from claim 1.

Claims 10, 11, 16-19, 25, and 27-28 are Allowable

Applicants traverse the rejection of claims 10, 11, 16-19, 25, and 27-28, at pages 12-13 of the Final Office Action, under 35 U.S.C. §103(a), as unpatentable over Pickett in view of U.S. Pat. Pub. No. 2003/0169291 (“Nakata”). As explained above, Pickett does not disclose each and every element of claim 1, from which claims 10, 11, and 16-19 depend. Nakata does not disclose the elements of claim 1 that are not disclosed by Pickett. For example, Nakata fails to disclose or suggest initiating presentation of a graphical user interface (GUI) element in response to initiation of a collaborative call, the GUI element operable to display a listing of call participants associated with the collaborative call, as recited in claim 1. Instead, Nakata discloses commencing a desktop conference by having clients connect to a public Web server of a vendor via Internet browser. See Nakata, paragraph 0054. After the connection is established the client must then click a desired conference link from among a displayed list, after which a desktop conference screen is displayed that includes a list of participants. See Nakata, paragraph 0054 and Fig. 7. Therefore, the asserted combination of Pickett and Nakata fails to disclose or suggest each and every element of claim 1, or of claims 10, 11, and 16-19, at least by virtue of their dependency from allowable claim 1. Hence, claims 10, 11, and 16-19 are allowable over the combination of Pickett and Nakata.

As explained above, Pickett fails to disclose or suggest computer-readable data executable by the processor to initiate presentation of a participant GUI having an appearance different than the host GUI, as recited in claim 23, from which claims 25, 27 and 28 depend. In contrast to claim 23, Nakata discloses a common desktop conference screen for each client and the same desktop conference screen for the process engineer of the vendor. *See* Nakata, paragraph 0054. Accordingly, the asserted combination of Pickett and Nakata fails to disclose or suggest each and every element of claim 23, or of claims 25, 27 and 28, at least by virtue of their dependency from claim 23. Therefore, claims 25, 27 and 28 are allowable over the asserted combination of Pickett and Nakata.

Claims 1, 3-4 and 21-22 are Allowable

The Office has rejected claims 1, 3-5 and 21-22, at pp. 13-15 of the Final Office Action, under 35 U.S.C. § 103(a), as unpatentable over U.S. Patent No. 7,010,107 ("Lee"). Applicants have canceled claim 5 without prejudice or disclaimer. Applicants traverse the remaining rejections.

The Final Office Action admits that Lee does not disclose or suggest initiating presentation of a graphical user interface (GUI) element in response to initiation of a collaborative call, as recited in claim 1. *See* Final Office Action, page 14. The Final Office Action states that this element of claim 1 is obvious in light of Lee. *See* Final Office Action, page 14. The MPEP states that there must be some form of evidence in the record to support an assertion of common knowledge. *See* MPEP 2144.03B. Applicants traverse the Final Office Action statement of obviousness and request that substantive evidence be presented to support the Final Office Action statement of obviousness. Lee discloses that prior to the actual calls being placed to the customer and to the call recipients, a web page may be used to monitor the status of each pending call. *See* Lee, col. 10, lines 16-20. Therefore, Lee fails to disclose each and every element of claim 1, or of claims 3-4 and 21-22, which depend from claim 1. Hence, claims 1, 3-4 and 21-22 are allowable over the asserted combination of Lee and common knowledge.

Claims 29-33, 35, 37-38 and 40 are Allowable

The Office has rejected claims 29-35 and 37-40, at pp. 15-21 of the Final Office Action, under 35 U.S.C. 103(a), as unpatentable over Pickett in view of U.S. Patent No. 6,192,118 ("Bayless"). Applicants have canceled claims 34 and 39 without prejudice or disclaimer. Applicants traverse the remaining rejections.

None of the cited references, including Pickett and Bayless, disclose or suggest each of the elements of claim 29. For example, Pickett does not disclose a presentation engine operable to initiate presentation of a first GUI on a remote host station and a second GUI on a remote participant station, where the second GUI differs from the first GUI, as recited in claim 29. Instead, Pickett discloses an office attendant type program that may transfer calls received to other extensions because, e.g., a called party is on the phone. *See* Pickett, col. 18, lines 22-27. Pickett further discloses that in such cases the office attendant type program may cause one or more windows to appear on the computer of, e.g., a person to whom a call is being directed. *See* Pickett, col. 18, lines 38-41. Bayless discloses a conference controller that allows a user to place all parties to a conference on hold, or to hang up the entire conference, by pressing the appropriate button. *See* Bayless, col. 27, lines 1-4. Bayless does not disclose a first GUI on a remote host station and a second GUI on a remote participant station, where the second GUI differs from the first GUI. Therefore, Pickett and Bayless, separately or in combination, do not disclose each element of claim 29, or of claims 30-33, 35 and 37, at least by virtue of their dependence from allowable claim 29. Hence, claims 29-33, 35 and 37 are allowable.

Regarding claim 38, the Final Office Action admits that Pickett does not disclose or suggest presenting a graphical user interface (GUI) element in response to initiation of a collaborative call, as recited in claim 38. *See* Final Office Action, pp. 8, 23. In contrast to claim 38, Bayless discloses a call window with a conference call in progress that a user may initiate. *See* Bayless, col. 26, lines 46-54. Bayless does not disclose presenting a graphical user interface (GUI) element in response to initiation of a collaborative call. Therefore, the combination of Pickett and Bayless does not disclose or suggest each and every element of claim 38, or of claim 40, at least by virtue of its dependence from claim 38. Hence, claims 38 and 40 are allowable.

Further, the dependent claims recite additional features that are not disclosed by the cited references. For example, the Final Office Action admits that neither Pickett nor Bayless disclose communicating data to a calendar program, as recited in claim 40. *See* Final Office Action, page 20. Claim 40 further recites that the data is communicated via a software package. The Final Office Action, taking Official Notice, states that a call participant may manually and independently schedule a conference call reminder in his/her calendar application. *See* Final Office Action, page 20. Applicants submit that data communicated via a software package differs from manually scheduling a reminder in a calendar application. For this additional reason, claim 40 is allowable.

Claim 36 is allowable

Applicants traverse the rejection of claim 36 over Pickett in view of Bayless, further in view of U.S. Patent No. 6,134,235 ("Goldman"). As explained above, the combination of Pickett and Bayless does not disclose or suggest each and every element of claim 29, from which claim 36 depends. Goldman does not disclose the elements of claim 29 that are not disclosed by Pickett and Bayless. For example, Goldman does not disclose a presentation engine operable to initiate presentation of a first GUI on a remote host station and a second GUI on a remote participant station, where the second GUI differs from the first GUI, as recited in claim 29. Instead, Goldman discloses a POTS/Packet bridge that can be used to set up a conference call with the convenience of a point and click interface. *See* Goldman, col. 13, lines 28-30. Therefore, the combination of Pickett, Bayless and Goldman fails to disclose each element of claim 29, or of claim 36, by virtue of its dependence from claim 29. Hence, claim 36 is allowable.

Claims 41-45 are Allowable

New claims 41-44 depend from claim 38, which Applicants have shown to be allowable over the cited references. Therefore, claims 41-44 are allowable, at least by virtue of their dependence from claim 38.

New claim 45 depends from claim 29, which Applicants have shown to be allowable. Therefore, claim 45 is allowable, at least by virtue of its dependence from claim 29.

CONCLUSION

Applicants have pointed out specific features of the claims not disclosed, suggested, or rendered obvious by the references applied in the Office Action. Accordingly, Applicants respectfully request reconsideration and withdrawal of each of the objections and rejections, as well as an indication of the allowability of each of the pending claims.

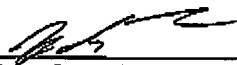
Any changes to the claims in this amendment, which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

The Examiner is invited to contact the undersigned attorney at the telephone number listed below if such a call would in any way facilitate allowance of this application.

The Commissioner is hereby authorized to charge any fees, which may be required, or credit any overpayment, to Deposit Account Number 50-2469.

Respectfully submitted,

10-1-2007
Date


Jeffrey G. Toler, Reg. No. 38,342
Attorney for Applicants
TOLER SCHAFFER, L.L.P.
8500 Bluffstone Cove, Suite A201
Austin, Texas 78759
(512) 327-5515 (phone)
(512) 327-5575 (fax)